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December 2, 2010

Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554



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Re: *Reexamination of Roaming Obligations of Commercial Mobile Radio Service Providers and Other Providers of Mobile Data Services*, WT Docket No. 05-265;
Notice of *Ex Parte* Presentation

Dear Ms. Dortch:

On December 1, 2010, Holly Henderson of Southern Communications Services, Inc. d/b/a SouthernLINC Wireless (“SouthernLINC Wireless”) and David Rines of Fish & Richardson P.C. met with Ruth Milkman, Jim Schlichting, Paul Murray, Nese Guendelsberger, and Tom Peters of the Wireless Telecommunications Bureau to discuss the extension of the Commission’s automatic roaming requirements to mobile data services.

In this meeting, SouthernLINC Wireless discussed the issue of prioritization of roaming traffic by host carriers. SouthernLINC Wireless expressed the view that – as set forth in detail in its November 30, 2010, *ex parte* letter to the Commission¹ – any data roaming obligation adopted by the Commission should not include an exception that would automatically allow a host carrier to prioritize its own subscribers’ traffic over roamers’ use of the network as a means of managing network congestion. SouthernLINC Wireless explained that such a *per se* exception allowing discriminatory treatment of roaming traffic would be vulnerable to a form of anticompetitive abuse that would be almost impossible to monitor or prevent.

While opposed to any exception that would treat discriminatory prioritization of roaming traffic as *per se* reasonable, SouthernLINC Wireless clarified during this meeting that it may be reasonable for individual carriers to negotiate an agreement whereby the requesting carrier accepts prioritization of its roaming subscribers’ traffic in exchange for a lower price for roaming or some other form of consideration from

¹ / SouthernLINC Wireless *Ex Parte* letter filed Nov. 30, 2010, at 5 – 9 (WT Docket No. 05-265).

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the host carrier. SouthernLINC Wireless emphasized, however, that this should be a matter for commercial negotiation between individual carriers rather than an upfront regulatory “carve out.”

In accordance with the Commission’s rules, one copy of this *ex parte* notice is being filed electronically for inclusion in the record of the above-captioned proceeding.

Very truly yours,

/s/ David D. Rines

David D. Rines

Counsel for SouthernLINC Wireless

cc: Ruth Milkman
Jim Schlichting
Paul Murray
Nese Guendelsberger
Tom Peters